

1 DELEGATE JAMES: Mr. Chairman and Fellow
2 Delegates, I want to argue for the Scanlan amendment with
3 ~~all the earnestness~~ that I can muster.

4 I have practiced law since 1937 and I can say
5 that over that period of time it is my considered opinion
6 that the use of the power to remove has been an implement
7 in the obstruction of justice. Anyone with experience in
8 this field knows that it is very seldom used to really
9 get a fair trial. It is used simply to delay and how can
10 you have a good system of administration of justice when
11 you have built into it a ready made system of delay.

12 Now, the present law is rather incongruous.
13 It refused to grant an absolute right of removal in serious
14 criminal cases, but it gives an absolute right of removal
15 in civil cases.

16 In other words, where a man may be incarcerated,
17 the matter of removal is strictly in the discretion of
18 the Court, whereas if the matter involves property, no
19 matter how small the amount of property involved, then an
20 absolute right of removal pertains. How could the law be
21 more absurd?